

Congress of the United States

NEWS RELEASE

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GAO Report: EPA Not Properly Administering Clean Water Act

WASHINGTON--Today, Representatives James Oberstar (Minn.), Jerry F. Costello (Ill.), and John F. Tierney (Mass.) released a Government Accountability Office (GAO) report showing that the Environmental Protection Agency does not allocate its resources for implementing and enforcing the Clean Water Act based on need. GAO also found that EPA does not have enough information to even estimate what resources it needs to carry out the requirements of the Act.

The Clean Water Act has played a critical role in reducing water pollution and improving the health of the nation's waterways for over 30 years. However, with the growing federal budget deficit and the fiscal challenges being faced by states, the three Members of Congress said that maintaining these accomplishments and achieving further progress may be in jeopardy.

According to the report, EPA and states are responsible for regulating an estimated 6,730 major facilities and 93,912 minor facilities under the Clean Water Act, including municipal wastewater treatment plants and industrial discharge control facilities.

"It is essential that EPA be given the resources it needs to protect our nation's waters and that those resources be directed where they are needed most," said Rep. Tierney. "The Clean Water Act is our primary law combating water pollution but without strong and effectively targeted oversight and enforcement, we compromise the health and safety of our communities and our environment.

"GAO's analysis confirms the worst," stated Rep. Oberstar. "Not only does this Administration not adequately fund our Clean Water Act programs, EPA fails to ensure that available funds are used to address the most pressing problems."

Oberstar continued, "Congressional leaders exacerbate the situation through additional cuts in the agency's fiscal year 2006 budget."

"As states and local governments confront modern issues of addressing stormwater runoff, nonpoint source pollution, and aging infrastructure, EPA must have a basic understanding of what needs to be done, and how to do it. This report confirms that EPA does not," said Rep. Costello.

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GAO's findings include:

- EPA's budgeting decisions are based on historical decisions, not current needs. EPA does not conduct periodic "bottom-up" assessments of the work that needs to be done, the distribution of the workload, or the resources needed to respond more effectively to changing needs and constrained resources.
- EPA does not have complete or reliable information on its activities under the Clean Water Act—and how that work is distributed organizationally and geographically—which would help the agency allocate resources more effectively. Having this information will also help EPA plan its workforce needs and ensure that the right people with the right skills are where they need to be to get the work done.
- EPA is not providing information to Congress as required by law on how much it costs to implement the Clean Water Act.

GAO recommended that EPA identify what is driving the agency's resource needs, ensure that relevant data are complete and reliable, and use the results in making its budgeting decisions.

The report (GAO-05-721) will be available on line at www.gao.gov

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